APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/680,792	10/06/2000	Stefan Georg Hild	RSW9-2000-0075-US1	2903

36736	7590	05/19/2004

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EXAMINER
EL CHANTI, HUSSEIN A

ART UNIT	PAPER NUMBER
2157	6

DATE MAILED: 05/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/680,792	HILD ET AL.
	Examiner	Art Unit
	Hussein A El-chanti	2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *03 March 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-30* is/are pending in the application.

    4a) Of the above claim(s) *12-15* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-11 and 16-30* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

Response to Amendment

1.   This action is responsive to amendment received on March 3, 2004. Claims 1-6,

9-11, 16, 17, 20, 21, 24-27 were amended. Claims 12-14 were canceled. Claims 28-30

were newly added. Claims 1-30 are pending examination.

Claim Objections

2.   Amendment does not include claim 15. Examiner assumes claim 15 was

canceled.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3.   Claims 1-6, 11. 16, 21, 26 and 27 are rejected under 35 U.S.C. 102(e) as being

anticipated by Lewis et al., U.S. Patent No. 6,457,059 (referred to hereafter as Lewis).

As to claims 1, 16 and 26, Lewis teaches a method, program and system in a

data processing system for transcoding content using a set of transcoders comprising:

receiving a request for the content from a client, wherein the request includes a

set of characteristics (see col. 3 lines 46-60);

selecting a transcoder from the set of transcoders having a best match to the set

of characteristics, wherein selecting a transcoder from the set of transcoders includes

using the set of characteristics to perform a lookup of a transcoder corresponding to one

or more characteristics in the set of characteristics in a transcoder data structure having

entries for a plurality of transcoders (see col. 3 lines 23-45); and

transcoding the content using the transcoder to form transcoded content (see col.

3 lines 23-45).

As to claim 2, Lewis teaches the method of claim 1 wherein the set of

transcoders includes one or more specific transcoders and one or more generic

transcoders and wherein if none of the one or more specific transcoders area best

match to the set of characteristics, a generic transcoder is selected (see col. 7 lines 20-

67).

As to claim 4 Lewis teaches, a method in a data processing system for

transcoding content using a set of transcoders, the method comprising:

receiving a request for the content from a client, wherein the request includes a

set of characteristics;

selecting a transcoder from the set of transcoders having a best match to the set

of characteristics; and

transcoding the content using the transcoder to from transcoded content, wherein

the set of characteristics is a tuple including parameters for a document type definition,

an application, a device, and a user (see col. 3).

As to claim 5, Lewis teaches the method of claim 1, wherein the set of

characteristics includes an application characteristic identifying an application on the

client that is to receive the content and a device characteristic identifying a type of

device that the client is, and wherein selecting a transcoder includes:

attempting to find a best match transcoder in the transcoder data structure based

on the application characteristic; and

if a best match transcoder is not found based on the application characteristic,

attempting to find a best match transcoder ,in the transcoder data structure based on

the device characteristic (see col. 3 and col. 7).

As to claim 3, Lewis teaches a method in a data processing system for

transcoding content using a set of transcoders, the method comprising:

receiving a request for the content from a client, wherein the request includes a

set of characteristics (see col. 3 lines 46-60);

selecting a transcoder from the set of transcoders having a best match to the set

of characteristics (see col. 3 lines 23-45): and

transcoding the content using the transcoder to form transcoded content, wherein

the set of characteristics includes a content type and a set of client characteristics (see

col. 3 lines 23-45).

As to claims 6, 21 and 27, Lewis teaches a method, system and program in a

data processing system for transcoding content using a set of transcoders, the method

comprising:

receiving a request for the content, wherein the request includes identification

information for a client originating the request;

selecting a transcoder from the set of transcoders, wherein the transcoder

provides a closest match to the identification information, wherein selecting a transcoder

from the set of transcoders includes using the set of characteristics to perform a lookup

of a transcoder corresponding to one or more characteristics in the set of characteristics

in a transcoder data structure having entries for a plurality of transcoders;

processing the content using the transeoder (see col. 3 and col. 7).

As to claim 11, a data processing system comprising:

a bus system;

a communications unit connected to the bus system;

a memory connected to the bus system, wherein the memory includes as set of

instructions; and

a processing unit connected to the bus system, wherein the processing unit

executes the set of instructions to receive a request for the content from a client through

the communications unit in which the request includes a set of characteristics, select a

transcoder from the set of transcoders having a best match to the set of characteristics,

wherein selecting a transooder from the set of transcoders includes using the set of

characteristics to perform a lookup of a transcodcr corresponding one or more

characteristics in the set of characteristics in a transcoder data structure having entries

for a plurality of transcoders, and transcode the content using the transcoder to form

transcoded content (see col. 3).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4.   Claims 28-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Lewis in view of Becker et al., U.S. Patent No. 5,878,223 (referred to hereafter as

Becker).

As to claims 28 and 30, Lewis teaches a method in a data processing system for

transcoding content using a set of transcoders comprising receiving a request for the

content from a client, wherein the request includes a set of characteristics; selecting a

transcoder from the set of transcoders having a best match to the set of characteristics,

wherein selecting a transcoder from the set of transcoders includes using the set of

characteristics to perform a lookup of a transcoder corresponding to one or more

characteristics in the set of characteristics in a transcoder data structure having entries

for a plurality of transcoders; and transcoding the content using the transcoder to form

transcoded content (see the rejection of claim 1).

Lewis does not explicitly teach the limitation "set of characteristics is used to

select a transcoder that meets output preferences of the user". However Becker

teaches a method of displaying information to a user according to user preferences

(see abstract).

It would have been obvious for one of the ordinary skill in the art at the time of

the invention to modify Lewis by incorporating the step of displaying information to the

user based on user preferences as taught by Becker because doing so would allow the

user to view desired information in a preferred size or color without modifying the

received data and therefore having more efficient communication method by saving

time rather than modifying data after every retrieval.

As to claim 29, Becker teaches the output preferences include color preferences

(see abstract).

5.   Claims 7-10, 17-20 and 22-25 do not teach or define any additional limitation

over claims 1-6 and therefore are rejected for similar reasons.

6.   Applicant's arguments with respect to the pending claims have been considered

but are moot in view of the new grounds of rejection.

7.   Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

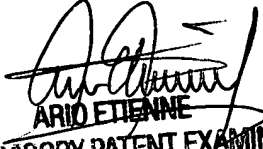**8.**   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Hussein A El-chanti whose telephone number is

(703)305-4652. The examiner can normally be reached on Mon-Fri 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Ario Etienne can be reached on (703)308-7562. The fax phone number for

the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Hussein El-chanti

May 11, 2004

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